



02-16-07

B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Zahorik et al.

Serial No.: 10/647,634

Filed: August 25, 2003

For: METHODS FOR SELECTIVE
REMOVAL OF MATERIAL FROM
WAFER ALIGNMENT MARKS

Confirmation No.: 3991

Examiner: L. Vinh

Group Art Unit: 1765

Attorney Docket No.: 2269-3131.6US

Notice of Allowance Mailed:

November 15, 2006

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV 962537920 US

Date of Deposit with USPS: February 15, 2007

Person making Deposit: Erin J. Rowley

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

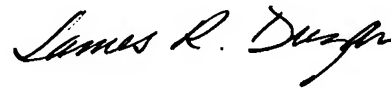
Sir:

Applicants submit herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1700.00 in payment therefor of the patent when issued.

Also, enclosed is an Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages), plus attached Replacement Sheet of Drawing (1 sheet) and Annotated Sheet Showing Changes Made (1 sheet); Comments on Statement of Reasons for Allowance (2 pages); and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages).

Applicants understand that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



James R. Duzan
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Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: February 15, 2007
JRD/sfc:lmh

Enclosures: Part B - Issue Fee Transmittal
Check No. 23487 in the amount of \$1700.00
Copy of Transmittal Letter
Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages)
Replacement Sheet of Drawing (1 sheet)
Annotated Sheet Showing Changes Made (1 sheet)
Comments on Statement of Reasons for Allowance (2 pages)
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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed November 15, 2006, and sets forth Applicant's comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance, the Examiner indicates:

The applicants have presented persuasive arguments, see pages 6-8 of the response filed 8/31/2006, that the cited prior art of Ohmi (US 5,931,722) fails to disclose or suggest a step of dispensing an etchant through another tubular member having a portion thereof surrounded by the tubular member having at least one thin annular edge thereon onto the area of the wafer using the etchant-dispensing apparatus to clean material from the wafer/for selectively removing a material from a wafer as required in claims 1, 13.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



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Date: February 15, 2007
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